

VICKERS, DANIELS & YOUNG  
50 PUBLIC SQUARE, SUITE 2000  
CLEVELAND, OHIO 44113-2235

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION/CONTINUATION-IN-PART PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated beneath my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PIVOTING JAW PIPE WRENCH**

the specification of which

  X   is attached hereto.

           was filed on                                  as Application Serial No.                                   
and was amended on                                 .

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability and/or examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent, inventor's certificate or provisional application listed below, and I have also identified below any foreign application for patent, inventor's certificate or provisional application having a filing date before that of the application on which priority is claimed:

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application/continuation-in-part application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112. I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
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<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
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I hereby appoint the firm of Vickers, Daniels & Young, Robert V. Vickers (Reg. No. 19,504), E. Kent Daniels, Jr. (Reg. No. 19,598), Thomas E. Young (Reg. No. 28,924), and Brian E. Turung (Reg. No. 35,394), 50 Public Square, Suite 2000, Cleveland, Ohio 44113-2235, to act jointly or severally as my attorneys, each with full power of substitution and revocation, to prosecute said application and to transact all business in the Patent and Trademark Office and/or all the competent international authorities in connection with an international application connected therewith.

And I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(Sign) *Glen R. Chartier*  
(Print Name) GLEN R. CHARTIER

(Sign) *David L. Machovina*  
(Print Name) DAVID L. MACHOVINA

Residence and ) 646 Parkside Drive  
Post Office ) Avon Lake, Ohio 44012  
Address )  
)

Residence and ) 454 Oxford Avenue  
Post Office ) Elyria, Ohio 44035  
Address )  
)

Citizenship: U.S.

Citizenship: U.S.

Dated this 9<sup>th</sup> day of May, 2002

Dated this 9 day of May, 2002

(Sign) *Chris W. Mandell*  
(Print Name) Chris W. Mandell

(Sign) \_\_\_\_\_  
(Print Name)

Residence and ) 27417 Detroit Rd. #G-50  
Post Office ) Westlake, Ohio 44145  
Address )  
)

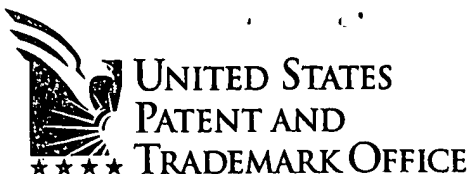
Residence and )  
Post Office )  
Address )  
)

Citizenship: U.S.

Citizenship:

Dated this 9 day of May, 2002

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200



RTee 213410

JULY 19, 2002

PTAS

Commissioner for Trademarks  
Arlington, VA 22202-3513  
www.uspto.gov

VICKERS, DANIELS & YOUNG  
E. KENT DANIELS JR  
50 PUBLIC SQUARE SUITE 2000  
CLEVELAND, OHIO 44113-2235



\*102099997A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/10/2002

REEL/FRAME: 012903/0140  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
CHARTIER, GLEN R.

DOC DATE: 05/09/2002

ASSIGNOR:  
MACHOVINA, DAVID L.

DOC DATE: 05/09/2002

ASSIGNOR:  
MANDELL, CHRIS W.

DOC DATE: 05/09/2002

ASSIGNEE:  
EMERSON ELECTRIC CO.  
8000 WEST FLORISSANT AVENUE  
ST LOUIS, MISSOURI 63136

SERIAL NUMBER: 10144122  
PATENT NUMBER:

FILING DATE: 05/10/2002  
ISSUE DATE:

RECEIVED

JUL 25 2002

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

Original  
sent to Emerson  
9-5-2

012903/0140 PAGE 2

JOANN STEWART, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

05-22-2002

Docket No. RT-13410

FORM PTO-1595

(Rev 10-96)

OMB No. 0651-0011 (exp. 4/94)

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

IEET



102099997

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Glen R. Chartier  
David L. Machovina  
Chris W. Mandell

5-10-02

Additional name(s) of conveying party(ies) attached? [ ] Yes [ x ] No

3. Nature of conveyance:

[ x ] Assignment

[ ] Merger

[ ] Security Agreement [ ] Change of Name

[ ] Other

Execution Date: 05-09-2002

2. Name and address of receiving party(ies):

Name: Emerson Electric Co.

Internal Address:

Street Address: 8000 West Florissant Avenue

City St. Louis State MO Zip 63136

Additional name(s) &amp; address(es) attached? [ ] Yes [ x ] No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 05-09-2002

A. Patent Application No.(s)

10,144,122

B. Patent No.(s)

Additional numbers attached? [ ] Yes [ ] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: E. KENT DANIELS, JR.

Internal Address:

Street Address: VICKERS, DANIELS & YOUNG  
50 PUBLIC SQUARE, SUITE 2000  
CLEVELAND, OHIO 44113-2235

6. Total number of applications and patents involved: 1

7. Total fee(37 CFR 3.41):.....\$ 40.00

☒ Enclosed☒ You are authorized to charge our deposit account for any additional fee required.

8. Deposit account number: 22-0347

☒ A duplicate copy of this form is attached

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

E. KENT DANIELS, JR.

Name of Person Signing

Signature

5/10/02

Date

Total number of pages including cover sheet, attachments, and document: [ 5 ]

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

1/16/2002 EFLORES 00000034 10144122

FC:581

40.00 JP

(JOINT INVENTORS)

Docket No. RT-13410

VICKERS, DANIELS & YOUNG  
50 PUBLIC SQUARE, SUITE 2000  
CLEVELAND, OHIO 44113-2235

**ASSIGNMENT**

WHEREAS, ASSIGNORS: Glen R. Chartier;  
David L. Machovina; and  
Chris W. Mandell

of the Cities, Counties and States, respectively of:

Avon Lake, Lorain County, Ohio;  
Elyria, Lorain County, Ohio; and  
Westlake, Cuyahoga, Ohio

have made an invention in PIVOTING JAW PIPE WRENCH

and have executed on May 9, 2002, respectively, an application for  
Letters Patent of the United States on said invention, hereinafter referred to as "said application";

AND, WHEREAS, EMERSON ELECTRIC CO., a corporation of the State of Missouri

having its principal place of business at 8000 West Florissant Avenue  
St. Louis, Missouri 63136

hereinafter called ASSIGNEE, is desirous of acquiring the entire worldwide rights, title and interest  
in, to and under said invention and said application;

**NOW THEREFORE**

For good and valuable consideration, the receipt and sufficiency of which is acknowledged,  
ASSIGNORS hereby sell, transfer and assign to the ASSIGNEE, its successors, assigns, nominees,  
or other legal representatives the full, exclusive, entire, worldwide rights, title and interest in, to and  
under said invention as described and claimed in said application, the same to be held and enjoyed  
by ASSIGNEE for its own use and enjoyment, and for the use and enjoyment of its successors,  
assigns, nominees, or other legal representatives, to the end of the term or terms for which said  
Letters Patent are or may be granted, reissued or extended, as fully and entirely as the same would  
have been held and enjoyed by ASSIGNORS if this assignment and sale had not been made; all of

the entire rights, title and interest in and to said invention and said application, and all original and reissued patents granted for said invention, and all divisions, continuations-in-part and continuations of said application, including the subject matter of any and all claims which may be obtained in every patent, and the right, where such right can be legally exercised, in ASSIGNEE'S own name to apply for and obtain patents in countries foreign to the United States, including the full right to claim for any such application the benefits of the International Convention and the Patent Cooperation Treaty as fully and entirely as ASSIGNORS could have done if the foreign application had been filed in the names of the ASSIGNORS, and the entire interest in any Letters Patent which may be granted on any such application in such foreign countries, and ASSIGNORS authorize and request the Commissioner of Patents of the United States, and any official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue the said Letters Patent to ASSIGNEE, its successors, assigns, nominees or other legal representatives, as ASSIGNEE and owner of the said entire rights, and ASSIGNORS covenant that ASSIGNORS have full right to convey the said entire interest herein assigned and that ASSIGNORS have not executed and will not execute any agreement in conflict herewith, and ASSIGNORS will communicate to ASSIGNEE, its successors, assigns, nominees or other legal representatives all facts known to ASSIGNORS respecting said invention, whenever requested, and testify in any legal proceedings, sign all lawful papers, execute and deliver all divisional, continuing and reissue applications, make all rightful oaths or declarations and do all lawful acts requisite for the application for such divisional, continuing or reissue applications, or the procuring thereof, and that if and when ASSIGNEE, its successors, assigns, nominees, or other legal representatives desire to file a disclaimer relating thereto, ASSIGNORS will, upon request, sign and deliver all lawful papers requisite for the filing of such disclaimer; and,

ASSIGNORS further covenant and agree that ASSIGNORS will, at any time upon request, do everything possible to aid ASSIGNEE, its successors, assigns, nominees, or other legal representatives, either in the name of ASSIGNORS or ASSIGNEE, to apply for, obtain and enforce proper patent protection for said invention in all countries, according to the International Convention and the Patent Cooperation Treaty and all the laws and treaties in force, all without further consideration but at the expense of ASSIGNEE, its successors, assigns, nominees or other legal representatives.

IN WITNESS WHEREOF, this assignment has been executed by the undersigned.

X Glen R. Chartier  
GLEN R. CHARTIER

STATE OF Ohio )  
 ) SS  
COUNTY OF Lorain )

Subscribed and sworn to before me this 9 day of May 2002

Gayle J. Calkins  
Notary Public, State of Ohio  
Commission Expires March 4, 2003

Gayle J. Calkins  
Notary Public

David L. Machovina  
DAVID L. MACHOVINA

STATE OF OH )  
 ) SS  
COUNTY OF Lorain )

Subscribed and sworn to before me this 9 day of May 2002

Gayle J. Calkins  
Notary Public, State of Ohio  
Commission Expires March 4, 2003

Gayle Calkins  
Notary Public

Chris W. Mandell  
CHRIS W. MANDELL

STATE OF OH )  
 ) SS  
COUNTY OF Lorain )

Subscribed and sworn to before me this 9 day of May 2002

Gayle J. Calkins  
Notary Public; State of Ohio  
Commission Expires March 4, 2003

Gayle Calkins  
Notary Public

STATE OF )  
 ) SS  
COUNTY OF )

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_ 200 \_\_\_\_

\_\_\_\_\_  
Notary Public